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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT TACOMA

9 TIMOTHY DIETZ,

10 Plaintiff,

11 v.

12 MIDLAND CREDIT MANAGEMENT INC.,

13 Defendant.
14

Case No.

**NOTICE OF REMOVAL OF ACTION
UNDER 28 U.S.C. § 1441**

15 PLEASE TAKE NOTICE THAT defendant Midland Credit Management, Inc.
16 ("MCM") hereby removes to this court the state court action described below.

17 1. This is a civil action over which the court has original jurisdiction under
18 28 U.S.C. § 1331, and which may be removed to this court under 28 U.S.C. §1441(a),
19 because it involves a claim under the Telephone Consumer Protection Act, 47 U.S.C. §
20 227 *et seq* ("TCPA"). See *Mims v. Arrow Financial Services, LLC*, 132 S. Ct. 740
21 (2012).

22 2. A copy of the complaint filed by plaintiff in the Cowlitz County District
23 Court, Small Claims Department, case no. 14 S 220, is attached as Exhibit 1.

24 3. This Notice of Removal is timely because MCM purportedly was served (if
25 at all) on September 29, 2014. See Exhibit 2 (Corporation Service Company's "Notice
26 of Service of Process").

COSGRAVE VERGEER KESTER LLP
Attorneys
888 SW Fifth Avenue, Suite 500
Portland, OR 97204
(503) 323-9000

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CERTIFICATE OF SERVICE

I hereby declare under penalty of perjury that I served a true and correct copy of the foregoing **NOTICE OF REMOVAL OF ACTION UNDER 28 U.S.C. § 1441(a)** on the date indicated below by:

- ☐ electronic mail,
☒ mail with postage prepaid, deposited in the US mail at Portland, Oregon,
☐ hand delivery,
☐ facsimile transmission,
☐ overnight delivery,

I further certify that said copy was placed in a sealed envelope delivered as indicated above and addressed to plaintiff at the address listed below:

Timothy Dietz
3501 S 38th St. #Y69
Tacoma, WA 98409
Plaintiff *Pro Se*

DATED: October 21, 2014

/s/Robert E. Sabido
Robert E. Sabido